

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

ELECTRONIC PRIVACY INFORMATION  
CENTER, *et al.*,

Plaintiffs,

v.

No. 1:25-cv-0255 (RDA/WBP)

U.S. OFFICE OF PERSONNEL  
MANAGEMENT, *et al.*,

Defendants.

**NOTICE**

Defendants inform the Court of the following.

1. In Defendants' memorandum in opposition (ECF No. 19) to Plaintiffs' motion for a TRO, Defendants stated the following, at page 13 n.6: "Plaintiffs attach a declaration from Doe 1 to their memorandum of law, but other than a signature from "Doe 1," that document appears to be blank. *See* ECF No. 7-1. The declaration from EPIC member Alan Butler is unsigned. ECF No. 7-2 at 4."

2. Today, undersigned counsel—Jonathan T. Lucier—accessed the Court's CM/ECF to download documents to prepare a binder. In doing so, counsel discovered that when viewed on the CM/ECF website, the Doe 1 declaration at both docket entries (ECF Nos. 5-2, 7-1) and the Butler declaration at both docket entries (ECF Nos. 5-3, 7-2), contains text and is signed, respectively.

3. However, when downloaded from the CM/ECF website, the PDFs when viewed in Adobe Acrobat are blank and unsigned.

4. Undersigned counsel informed Plaintiffs' counsel of this issue, and Plaintiffs' counsel provided PDFs of each declaration that are viewable.

5. Undersigned counsel therefore withdraws n.6 at page 13 of Defendants' memorandum (ECF No. 19).

Dated: February 19, 2025

Respectfully submitted,

ERIK S. SIEBERT  
UNITED STATES ATTORNEY

By: /s/  
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**CERTIFICATE OF SERVICE**

I certify that on February 19, 2025, I filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to all counsel of record.

/s/

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